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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
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Application No.	09/517,705
Filing Date	March 2, 2000
First Named Inventor	Chunlin Liang
Group Art Unit	2811
Examiner Name	Steven Ho Yin Loke
Attorney Docket Number	42390P5771D

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

- i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. Other _____

b. Enclosed

- i. Amendment/Reply
- ii. Affidavit(s)/Declaration(s)

iii. Information Disclosure Statement (IDS)

iv. Other Copies of references (2) Return Postcard

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666.

- i. RCE fee required under 37 C.F.R. § 1.17(e) and any additional claims fee(s)
- ii. Extension of time fee (37 C.F.R. § 1.136 and 1.17)
- iii. Other: (\$0.00)

b. Check in the amount of \$0.00 enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Raul D. Martinez	Registration No. (Attorney/Agent)	46,904
Signature	<u>Raul D. Martinez</u>	Date	January 21, 2003

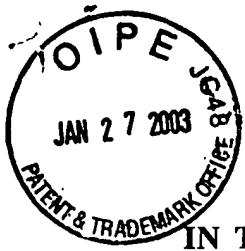
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Name (Print/Type)	Lillian E. Rodriguez	Date	January 21, 2003
Signature	<u>Lillian E. Rodriguez</u>	Date	January 21, 2003

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#16/Response
2/12/03
ADM TH
Our Ref. No.: 42390P5771D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Chunlin Liang, et al.

Application No.: 09/517,705

Filed: March 2, 2000

For: COMPLEMENTARY METAL GATE
ELECTRODE TECHNOLOGY

Examiner: Steven Ho Yin Loke

Art Unit: 2811

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RESPONSE TO FINAL OFFICE ACTION

In response to the Final Office Action dated November 20, 2002, Applicants respectfully request reconsideration in light of the remarks that follow.

REMARKS

In this response, Applicants do not amend or cancel any claims. Applicants do not add any claims. Accordingly, Claims 1, 2, 16 and 17 are pending.

I. Claims Rejected Under 35 U.S.C. § 102(b)

The Patent Office rejects Claims 1, 2 and 16 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,399,605 to Dash, et al. ("Dash"). Applicants respectfully traverse this rejection.

In order to anticipate a claim, the relied upon reference must disclose every limitation of the claim. Among other limitations, independent Claim 1 recites a circuit device having a first metal gate electrode and a second metal gate electrode that are not in direct physical contact with each other. Applicants submit that at least this limitation is not disclosed by Dash.

In maintaining the rejection, the Patent Office relies on Dash to show a circuit device having a first metal gate electrode (a portion of layer 56) and a second metal gate electrode 50, which are not in direct physical contact with each other. However, Applicants respectfully disagree with the Patent Office's characterization of conductive line 56 as a first metal gate electrode that is not in direct physical contact with second metal gate electrode 50. Specifically, Applicants first note that only a cursory review of Figure 9 of Dash shows that conductive line 56 is one contiguous structural element with no physical barriers, gaps, or divisions. Thus, the figures of Dash would lead one of skill in the art to believe that the entire structure should be considered as a single element. Furthermore, the specification of Dash describes conductive line 56 as a single layer that acts as a gate electrode for the N-channel transistor and as a contact with the platinum silicide gate electrode 50 of the P-channel transistor (Col. 4, lines 13-21).

In this regard, Applicants note that in the absence of any recognizable division or boundaries between the left side of conductive line 56 and the right side of conductive line 56, it is not reasonable to infer a division of the single structural element disclosed by Dash simply for convenience. Moreover, the fact that single structural element 56 performs two functions (e.g., gate electrode for N-channel transistor and a contact with gate electrode 50), does not render the single structural element into two structural elements, as implied by the Patent Office. Furthermore, Applicants point out that conductive line 56 acts as a contact with gate electrode 50, which necessarily requires that conductive line 56 actually contacts gate electrode 50. Therefore, Dash cannot be reasonably interpreted to disclose a first gate electrode and a second gate electrode that are not in direct physical contact with each other, as recited in Applicants' independent Claim 1.

Accordingly, Applicants respectfully request withdrawal of the rejection of independent Claim 1. Claims 2 and 16 depend from Claim 1 and are not anticipated at least for the same reasons.

II. Claims Rejected Under 35 U.S.C. § 103(a)

The Patent Office rejects Claim 17 under 35 U.S.C. § 103(a) as being obvious over Dash. Applicants respectfully traverse this rejection.

In order to render a claim obvious, the relied upon reference must teach or suggest every limitation of the claim such that the invention as a whole would have been obvious at the time the invention was made to one skilled in the art. Claim 17 depends from independent Claim 1 and contains all of the limitations thereof. Therefore, the same reasoning and argument set forth above regarding Claim 1 applies equally here to Claim 17. Specifically, as mentioned above, Dash fails to teach or suggest a circuit device having a first metal gate electrode and a second metal gate electrode that are not in direct physical contact with each other, as recited in Claim 17.

Accordingly, Applicants respectfully request withdrawal of the rejection of Claim 17.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

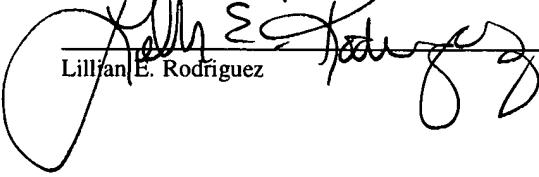
Dated: 1/21, 2003


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Lillian E. Rodriguez

1-21-03
January 21, 2003